

REMARKS

Claims 1-13 were presented for examination and were pending in this application. In the Final Official Action dated September 13, 2004, claims 1-13 were rejected. Applicant has amended claims 1, 6, and 9. Applicant requests admittance of the amendments because they present the rejected claims in better form for consideration on appeal. Furthermore, the amendments are necessary and could not have been presented earlier because of the new reference cited by the Examiner. Applicant now requests reconsideration and allowance of claims 1-13.

The Examiner rejected claims 1-13 under 35 U.S.C. § 102(e) as being anticipated by Kaplan. Claim 1 as amended recites "*a first set of instructions to receive broadcast information including a data repository and formatting information and to store the received data repository in the portable computing device.*" By storing the data repository in the portable computing device, instead of storing the data repository in an intermediate application or web server, the portable computing device is now able to handle a search query on the data repository locally. As a result, the portable computing device provides quicker retrieval and presentation of a search result to a user.

Kaplan does not disclose claim 1 as amended. Instead, Kaplan merely discloses a conventional web or application server, which is external to a wireless device and sits between the wireless device and a database server, and passes queries from the wireless device to the database server, and stores database records for later transferring to the wireless device. Specifically, Kaplan discloses:

The wireless device 18 . . . may query a database server 12 for data through a web or application server 14. Data may be retrieved from the database server 12 and stored in a memory 16 on the web or application server 14. When the data is returned as the result of a query, the data may be transferred to a graphing program 20. The graphing program 20, which preferably may be a

native program on the wireless device 18 . . . , may take the data and may display the date in a graph 22 on a screen of the wireless device 18.

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Kaplan does not disclose that the received data repository is stored in the portable computing device such that a search result is retrieved from the data repository stored in the portable computing device based upon a search query. Instead, Kaplan maintained the web or application server as a “middleman” in communications between the wireless device and the database server. Thus, in Kaplan, the wireless device does not store data, as claimed, and does not provide the benefit of locally handling a search query to provide quicker retrieval and presentation of a search result.

Accordingly, claim 1 as amended is patentable over Kaplan.

Dependent claims 2-5 are also patentable over Kaplan both because they depend from patentable independent claim 1 as well as additionally reciting their own patentable features.

Claim 6, amended to recite that the remote application server is “*internal to the portable computing device and configured to process information received from a wireless source and stored in the portable computing device,*” is patentable over Kaplan for reasons analogous to those set forth above with claim 1.

Dependent claims 7-8 are patentable over Kaplan both because they depend from patentable independent claim 6 as well as additionally reciting their own patentable features.

Claim 9 has been amended to recite “*storing the received data repository in the portable computing device.*” Again, Kaplan fails to disclose that the wireless device stores data for retrieving a search result from the stored data based upon a search query. Thus, claim 9 is patentable over Kaplan.

Dependent claims 10-13 are patentable over Kaplan both because they depend from patentable independent claim 9 as well as additionally reciting their own patentable features.

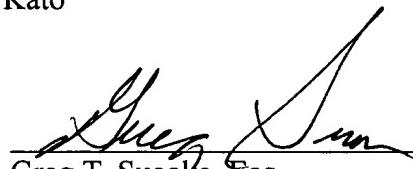
For the foregoing reasons, Applicant respectfully submits that claims 1-13 are enabled by

the specification, that they do define the invention with sufficient particularity and distinctiveness to be patentable, that the indicated claims are in condition for allowance, and accordingly allowance of these pending claims is hereby solicited.

Applicant believes that this application is now in condition for allowance, and therefore an early Notice of Allowance is respectfully requested. In the event that the Examiner continues one or more of his rejections, however, he is respectfully requested to enter the amendments into the case at this time in order to clarify the issues for appeal. If the Examiner believes that direct contact with Applicant's attorney would help advance the prosecution of this case to finality, he is invited to telephone the undersigned at the number given below.

Respectfully submitted,
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